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08/818,245

APPLICATION NUMBER	08/818,245	FILING DATE	03/14/97	FIRST NAMED APPLICANT	OGINO	ATTY. DOCKET NO.	
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08/818,245 03/14/97 OGINO

H	B208-629-CON
EXAMINER	

26M2/0603

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NEW YORK NY 10017

23
PAPER NUMBER

2616
DATE MAILED:

06/03/97

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 3/14/97

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 3-4, 7, 38-44 is/are pending in the application.
Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 3-4, 7 is/are allowed.
- ☒ Claim(s) 38-44 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☒ received in Application No. (Series Code/Serial Number) 08/440,328
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☐ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

-SEE OFFICE ACTION ON THE FOLLOWING PAGES-

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1. Applicant's arguments filed 3/14/97 have been fully considered but they are not deemed to be persuasive.

In the remarks, applicant has argued in substance that:

1. Sasaki et al. and Kobayashi et al. do not show when second memory means is detached from apparatus, control information is copied from second memory means to first memory means, and when third memory means is attached to the apparatus, the control information copied from second memory means and stored in first memory means is copied to the third memory means regarding claim 7, on pages 5-7 of the amendment.

2. Regarding claim 38, in Sasaki's camera, it is necessary to store not only image data but also accessory information in the memory medium, thus resulting in the capacity of storing image data being smaller (?). Such does not disclose or suggest the image pickup apparatus as claimed, on pages 3-4 of the amendment.

In the reply examiner states the following:

As to point 1, the examiner agrees with the remark, as Sasaki does not teach that control information is copied from second memory means to the first memory means when the second memory means is removed from the apparatus. When third memory means is attached to the apparatus, control information copied from second memory means to first memory means is copied from

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first memory means to third memory means, as argued on pages 5-7 of the amendment.

As to point 2, examiner does not agree with the remarks, Sasaki et al. does show reproducing means in fig. 11, col. 9, line 36 to col. 10, line 40, and capacity of the storage medium as argued, is not supported in the claim language, see 37 CFR 1.111.

2. Claims 38-44 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 38, line 4, "said image pickup means" does not have antecedent support.

Claims 39-44 depends on rejected claim 38.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 38-44 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sasaki et al. U.S. Patent 5,034,804.

As to claim 38, Sasaki shows (fig. 1, 2, 6A, 6B, 9B, 9E and 11; col. 6, line 11 to col. 9, line 35; col. 9, line 35 to col. 10, line 40) an image processing system, comprising;

Memory means, a memory card 15 capable of storing the image signal with the condition information. The second memory being detachably attached to the apparatus (see figs. 6A, 6B; col. 7, line 60 to col. 8, line 68; specifically col. 8, lines 47-50; col. 4, lines 8-11);

Reproducing means for reproducing the image signal stored by the memory means (see col. 9, lines 35-38).

Producing means for producing condition information representing a condition in which the image signal is picked up by image pickup means on the basis of the image signal reproduced by the reproducing means (see fig. 11; col. 9, line 35 to col. 10, line 40; specifically col. 9, lines 52-55, col. 10, lines 11-13).

As to claim 39, Sasaki further shows, signal processing means CPU 102 for performing a predetermined processing on the image signal reproduced by the reproducing means on the basis of

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the condition information (see col. 9, lines 52-55, col. 10, lines 11-13).

As to claim 40, Sasaki further shows, holding means, frame memory 95, for holding the condition information, signal processing means performing a processing on image signals other than the image signal used to produce the condition information, on the basis of the condition information held by the holding means buffer memory 95 (see col. 9, lines 52-55, col. 10, lines 11-13).

As to claim 41, Sasaki further shows designating means (CPU 102) for designating a reference signal from among image signals stored in the memory (see col. 9, lines 40-46, file number is reference signal).

As to claim 42, Sasaki further shows, reference signal (file number), designated by the designating means (keyboard 104, col. 9, lines 40-46).

As to claim 43, Sasaki further shows, holding means, frame memory 95, for holding the condition information, signal processing means performing a processing on image signals other than the reference signal on the basis of the condition information held by the holding means buffer memory 95 (see col. 9, lines 52-55, col. 10, lines 11-13).

As to claim 44, Sasaki further shows, displaying means for displaying an image associated with an image signal outputted

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from the signal processing means (se col. 10, lines 21-40; fig. 11, item 107).

6. Claims 7, 3 and 4 are allowable over the prior art of record.

7. The following is an Examiner's statement of reasons for the indication of allowable subject matter:

Control information is copied from second memory means to the first memory means when the second memory means is removed from the apparatus. When third memory means is attached to the apparatus, control information copied from second memory means to first memory means is copied from first memory means to third memory means, in combination with other limitations of claim is not shown or suggested by the prior art.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bipin Shalwala whose telephone number is (703) 305-4938.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

B. Shalwala
BIPIN SHALWALA
PATENT EXAMINER
GROUP 2616